

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:17-cv-00854-TDS-LPA

REBECCA KOVALICH and SUZANNE)
NAGELSKI,)
)
Plaintiffs,)
v.)
)
PREFERRED PAIN MANAGEMENT &)
SPINE CARE, P.A., DR. DAVID SPIVEY,)
individually, and SHERRY SPIVEY,)
individually.)
)
Defendants.)

JOINT NOTICE OF FILING OF UNSEALED AND REDACTED
EXHIBITS IN SUPPORT OF PLAINTIFFS' SUMMARY JUDGMENT RESPONSES
AND APPENDIX

On October 31, 2018, Plaintiffs Rebecca Kovalich and Suzanne Nagelski ("Plaintiffs") filed their responses in opposition to Defendants Preferred Pain Management & Spine Care, P.A.'s, Dr. David Spivey's, and Sherry Spivey's ("Defendants") summary judgment motions [DE #s 47-52]. In support, Plaintiffs filed a Joint Appendix with accompanying exhibits [DE #s 53-54] under seal. On November 1, 2018, Plaintiffs conferred with Defendants as the party claiming confidentiality over certain materials. Subsequently, on November 6, 2018, Plaintiffs filed a Motion to Seal and Brief in Support and stated Defendants' position as to the confidentiality of certain exhibits [DE #s 56-58]. On November 20, 2018, Defendants filed a Motion to Seal Documents to Response Briefs and Brief in Support [DE #s 69-70].

Counsel for Defendants contacted the Case Manager and inquired about ways to make the exhibits less cumbersome for the Court and for Plaintiffs to file a redacted, public version of

the documents [DE #s 53-54] in compliance with Local Rule 5.4. Then, Defendants' counsel consulted with Plaintiffs' counsel about the proper way to file unsealed copies of Plaintiffs' currently sealed exhibits and appendix.

As a result, Docket Entry 71 is a public version of Plaintiffs' appendix and summary judgment responses exhibits, and this filing corresponds with that which Plaintiffs originally filed in docket entries 53 and 54. The exhibit numbers have not changed and should still correspond with the citations in Plaintiffs' briefs [DE # 47-52]; they are simply versions which can be seen by the public. Plaintiffs' counsel and Defendants' counsel have conferred about these exhibits and the appendix and the Parties' agree that the exhibits and appendix filed today are appropriate. This Notice in no way alters the Parties' positions with regard to the necessity of sealing documents in this case.

Respectfully submitted this 11th day of December, 2018.

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CERTIFICATE OF SERVICE

THE UNDERSIGNED HEREBY CERTIFIES that the document to which this certificate is attached was served upon each party to this action by CM/ECF electronic notification to the attorney of record for each party, or to the party, at their last known address, as stated below.

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This the 11th day of December, 2018.

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